

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 217.6, the Department of Human Services amends Chapter 176, “Dependent Adult Abuse,” Iowa Administrative Code.

These amendments:

- Add a new definition of “at-risk adult” which applies to the dependent adult’s need for continued monitoring and services.
- Update procedures for storing the Department’s report on the evaluation or assessment, as a result of the implementation of a new data system for dependent adult abuse information.
- Add procedures for referrals to other agencies, safety plans, and periodic visits.
- Require two new forms, a uniform assessment tool and a safety plan, to assist the Department in making more thorough assessments of dependency and risk for all alleged victims of abuse and to enhance the safety of at-risk adults.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on August 25, 2010, as **ARC 9027B**. The Department received comments on the Notice of Intended Action from one person.

The commenter was concerned about the number of extensions allowed for completion of the evaluation report and feared that this time line also applied to actions taken to protect the dependent adult. The Department’s policy is to attend to a person’s immediate needs when a person is at risk of abuse. The extensions available for filing the written report are used when the worker is waiting for medical or financial reports, has not been able to locate witnesses, or has to conduct additional evaluation to resolve contradictory evidence.

The commenter also requested clarification about continued involvement of the Department when the at-risk adult has agreed to a referral for services. Periodic visits by the investigator are discontinued when the adult has agreed to services and signed a safety plan.

These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on November 10, 2010.

These amendments are intended to implement 2009 Iowa Code Supplement section 235B.16A.

These amendments shall become effective on February 1, 2011.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [176.1, 176.6] is being omitted. These amendments are identical to those published under Notice as **ARC 9027B**, IAB 8/25/10.

[Filed 11/10/10, effective 2/1/11]

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[For replacement pages for IAC, see IAC Supplement 12/1/10.]